

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Kenneth C. Johnson et al.

Appln. No.: 09/999,410

Filed: October 31, 2001

For: METHOD OF MEASURING  
MESO-SCALE STRUCTURES  
ON WAFERS

Group Art: 2813

Examiner: C. Thompson

**REVOCATION OF PRIOR POWERS  
AND APPOINTMENT OF NEW  
COUNSEL BY ASSIGNEE**

Commissioner for Patents  
Washington, D.C. 20231

Sir:

SENSYS INSTRUMENTS CORPORATION, assignee of the entire right title and interest in the above-identified application by assignment dated February 5, 2002 and February 1, 2002, which assignment was recorded in the Patent and Trademark Office on February 8, 2002, at Reel 12584, frame 865, hereby revokes all prior powers of attorney and appoints the members of the firm of STALLMAN & POLLOCK LLP, a firm composed of:

Michael A. Stallman	29,444	Kathleen A. Frost	37,326
Michael J. Pollock	29,098	Brian J. Keating	39,520

as its attorneys with full power of substitution to prosecute this application and to transact all business in the Patent and Trademark Office in connection therewith.

Please direct all correspondence regarding this application to the following:

STALLMAN & POLLOCK LLP  
Attn: Michael A. Stallman  
121 Spear Street, Suite 290  
San Francisco, CA 94105

Telephone: (415) 512-1312  
Facsimile: (415) 512-1362

Dated: 15 Aug 02

SENSYS INSTRUMENTS CORPORATION

By: 

Name: Fred E Stanke

Title: CTO



TWI-30610

APRIL 15, 2002

PTAS

WILSON SONSINI GOODRICH & ROSATI  
JOHN GILMORE  
650 PAGE MILL ROAD  
PALO ALTO, CA 94304-1050

Chief Information Officer  
Washington, DC 20231  
www.uspto.gov



\*101989160A\*

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 02/08/2002

REEL/FRAME: 012584/0865  
NUMBER OF PAGES: 2

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:  
JOHNSON, KENNETH C.

DOC DATE: 02/05/2002

ASSIGNOR:  
STANKE, FRED E.

DOC DATE: 02/01/2002

ASSIGNEE:  
SENSYS INSTRUMENTS CORPORATION  
2090 DUANE AVENUE  
SANTA CLARA, CALIFORNIA 95054

✓ SERIAL NUMBER: 09999410  
PATENT NUMBER:

FILING DATE: 10/31/2001  
ISSUE DATE:

SEDLEY PYNE, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS

02-21-2002



101989160

U.S. DEPARTMENT OF COMMERCE

Patent and Trademark Office

To the Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

## 1. Name of conveying party(ies):

Kenneth C. Johnson &amp; Fred E. Stanke

Additional name(s) of conveying party(ies) attached?

☐ Yes ☒ No

## 3. Nature of conveyance:

☒ Assignment☐ Security Agreement☐ Other☐ Merger☐ Change of NameExecution Date: 02/05/2002 and 02/01/2002

## 2. Name and address of receiving party(ies):

Name: **Sensys Instruments Corporation**Street Address: **2090 Duane Avenue**City/State/Zip: **Santa Clara, CA 95054**

Additional name(s) &amp; address(es) attached?

☐ Yes ☒ No

## 4. Application number(s) or patent number(s): 1

If this document is being filed together with a new application, the execution date of the application is:

A. Patent Application No.(s): 09/999,410

B. Patent No.(s):

Additional numbers attached? ☐ Yes ☒ No

## 5. Name and address of party to whom correspondence concerning document should be mailed:

Name: **John Gilmore**Internal Address: **FH 1-2**

Wilson Sonsini Goodrich &amp; Rosati

650 Page Mill Road

Palo Alto, CA 94304-1050

## 6. Total number of applications and patents involved: [1]

## 7. Total fee (37 CFR 3.41) ..... \$40.00

☐ Enclosed☒ Authorized to be charged to deposit account8. Deposit account number: 23-2415  
(Attorney Docket No.: 21964-720)**DO NOT USE THIS SPACE**

## 9. Statement and signature.

*To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.*

John Gilmore

Name of Person Signing

Signature

2/8/02

Date

Total number of pages including cover sheet, attachments, and document: [2]

02/20/2002 DBYRNE 00000035 232415 09999410

01 FC:581

40.00 CH

## ASSIGNMENT OF APPLICATION

Docket Number 21964-720

Whereas, the undersigned:

1. **JOHNSON, Kenneth C.**  
2502 Robertson Road  
Santa Clara, CA 95051
2. **STANKE, Fred E.**  
22873 Longdown Road  
Cupertino, CA 95014

hereinafter termed "Inventors", have invented certain new and useful improvements in

**METHOD OF MEASURING MESO-SCALE STRUCTURES ON WAFERS**

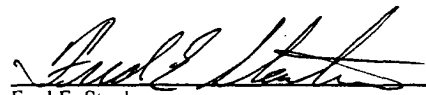
- ☒ for which an application for United States Patent was filed on October 31, 2001, Application No. 09/999,410  
☐ for which an application for a United States Patent was executed on     , and

WHEREAS, Sensys Instruments Corporation, a corporation of the State of California, having a place of business at 2090 Duane Avenue, Santa Clara, CA 95054, (hereinafter termed "Assignee"), is desirous of acquiring the entire right, title and interest in and to said application and the invention disclosed therein, and in and to all embodiments of the invention, heretofore conceived, made or discovered jointly or severally by said Inventors (all collectively hereinafter termed "said invention"), and in and to any and all patents, inventor's certificates and other forms of protection (hereinafter termed "patents") thereon granted in the United States and foreign countries.

NOW, THEREFORE, in consideration of good and valuable consideration acknowledged by said Inventors to have been received in full from said Assignee:

1. Said Inventors do hereby sell, assign, transfer and convey unto said Assignee the entire right, title and interest (a) in and to said application and said invention; (b) in and to all rights to apply for foreign patents on said invention pursuant to the International Convention for the Protection of Industrial Property or otherwise; (c) in and to any and all applications filed and any and all patents granted on said invention in the United States or any foreign country, including each and every application filed and each and every patent granted on any application which is a divisional, substitution, continuation, or continuation-in-part of any of said applications; and (d) in and to each and every reissue or extensions of any of said patents.
2. Said Inventors hereby jointly and severally covenant and agree to cooperate with said Assignee to enable said Assignee to enjoy to the fullest extent the right, title and interest herein conveyed in the United States and foreign countries. Such cooperation by said Inventors shall include prompt production of pertinent facts and documents, giving of testimony, execution of petitions, oaths, specifications, declarations or other papers, and other assistance all to the extent deemed necessary or desirable by said Assignee (a) for perfecting in said Assignee the right, title and interest herein conveyed; (b) for prosecuting any of said applications; (c) for filing and prosecuting substitute, divisional, continuing or additional applications covering said invention; (d) for filing and prosecuting applications for reissuance of any said patents; (e) for interference or other priority proceedings involving said invention; and (f) for legal proceedings involving said invention and any applications therefor and any patents granted thereon, including without limitation reissues and reexaminations, opposition proceedings, cancellation proceedings, priority contests, public use proceedings, infringement actions and court actions; provided, however, that the expense incurred by said Inventors in providing such cooperation shall be paid for by said Assignee.
3. The terms and covenants of this assignment shall inure to the benefit of said Assignee, its successors, assigns and other legal representatives, and shall be binding upon said Inventors, their respective heirs, legal representatives and assigns.
4. Said Inventors hereby jointly and severally warrant and represent that they have not entered and will not enter into any assignment, contract, or understanding in conflict herewith.

IN WITNESS WHEREOF, said Inventors have executed and delivered this instrument to said Assignee as of the dates written below:

Date: Feb 5 2002
  
 Kenneth C. Johnson
Date: 1 Feb '02
  
 Fred E. Stanke

Please type a plus sign (+) inside .



PTO/SB/01 (12-97)

Approved for use through 9/30/00. OMB 0651-0032

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

<b>DECLARATION FOR UTILITY OR DESIGN PATENT APPLICATION</b> <b>(37 CFR 1.63)</b>  <input type="checkbox"/> Declaration Submitted with Initial Filing      OR <input checked="" type="checkbox"/> Declaration Submitted after Initial Filing (surcharge (37 CFR 1.16(e)) required)	Attorney Docket Number	21964-720
	First Named Inventor	Kenneth C. Johnson
	<i>COMPLETE IF KNOWN</i>	
	Application Number	09/999,410
	Filing Date	October 31, 2001
	Group Art Unit	2813
Examiner Name	Not Yet Assigned	

As a below named Inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**METHOD OF MEASURING MESO-SCALE STRUCTURES ON WAFERS**

*(Title of the Invention)*

the specification of which

☐ is attached hereto

OR

☒ was filed on (MM/DD/YYYY)

10/31/2001

as United States Application Number or PCT International

Application Number 09/999,410 and was amended on (MM/DD/YYYY) ☐ (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached? YES	NO
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/028 attached hereto:

I hereby claim the benefit under 35 U.S.C. 119(h) of any United States provisional application(s) listed below.

Application Number(s)	Filing Date (MM/DD/YYYY)	<input type="checkbox"/> Additional provisional application numbers are listed on a supplemental priority data sheet PTO/SB/028 attached hereto.
60/172,851	12/10/1999	
60/194,651	04/04/2000	

(Page 1 of 2)

Burden Hour Statement: This form is estimated to take 0.4 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

Please Type a plus sign (+) inside the box



PTO/SB/01 (12-97)

Approved for use through 9/30/00.OMB 0651-0032

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

## DECLARATION — Utility or Design Patent Application

I hereby claim the benefit under 35 U.S.C. 120 of any United States application(s), or 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of the application is not designated in the prior United States or PCT international application in the manner provided by the first paragraph of 31 U.S.C. 112. I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

U.S. Parent Application or PCT Parent Number	Parent Filing Date (MM/DD/YYYY)	Parent Patent Number (if applicable)
09/735,286	12/11/2000	

☐ Additional U.S. or PCT international application numbers are listed on a supplemental priority data sheet PTO/SB/028 attached hereto.

As a named inventor, I hereby appoint the following registered practitioner(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith: ☒ Customer Number 021971 

OR

☐ Registered practitioner(s) name/registration number listed below

Place Customer  
Number Bar  
Code Label here

Name	Registration Number	Name	Registration Number

☐ Additional registered practitioner(s) named on supplemental Registered Practitioner Information sheet PTO/SB/02C attached hereto.

Direct all correspondence to: ☒ Customer Number or Bar Code Label

021971

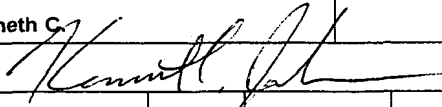
OR ☐ Correspondence address below

Name	John O. Gilmore						
Address	Wilson Sonsini Goodrich & Rosati						
Address	650 Page Mill Road						
City	Palo Alto	State	CA	ZIP	94304		
Country	U.S.	Telephone	650-493-9300		Fax	650-493-6811	

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Name of Sole or First Inventor:

☐ A petition has been filed for this unsigned inventor

Given Name (first and middle (if any))				Family Name or Surname			
Kenneth C.				Johnson			
Inventor's Signature						Date	Feb 5 2002
Residence: City	Santa Clara	State	CA	Country	US	Citizenship	USA
Post Office Address	2502 Robertson Road						
Post Office Address							
City	Santa Clara	State	CA	ZIP	95051	Country	US

☒ Additional inventors are being named on the 1 supplemental Additional Inventor(s) sheet(s) PTO/SB/02A attached hereto:

Please Type a plus sign (+) inside this box →



PTO/SB/02A (3-97)

Approved for use through 9/30/98, OMB 0651-0032  
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

<b>DECLARATION</b>	<b>ADDITIONAL INVENTOR(S)</b> <b>Supplemental Sheet</b> Page <u>1</u> of <u>1</u>
--------------------	---

<b>Name of Additional Joint Inventor, if any:</b>				<input type="checkbox"/> A petition has been filed for this unsigned inventor											
Given Name (first and middle (if any))				Family Name or Surname											
Fred E.				Stanke											
Inventor's Signature					Date		1 Feb '02								
Residence: City		Cupertino		State		CA		Country		US		Citizenship		USA	
Post Office Address		22873 Longdown Road													
Post Office Address															
City		Cupertino		State		CA		ZIP		95014		Country		US	
<b>Name of Additional Joint Inventor, if any:</b>				<input type="checkbox"/> A petition has been filed for this unsigned inventor											
Given Name (first and middle (if any))				Family Name or Surname											
Inventor's Signature					Date										
City				State				Country				Citizenship			
Post Office Address															
Post Office Address															
City				State				ZIP				Country			
<b>Name of Additional Joint Inventor, if any:</b>				<input type="checkbox"/> A petition has been filed for this unsigned inventor											
Given Name (first and middle (if any))				Family Name or Surname											
Inventor's Signature					Date										
City				State				Country				Citizenship			
Post Office Address															
Post Office Address															
City				State				ZIP				Country			

Burden Hour Statement: This form is estimated to take 0.4 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.